IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

SATURDAY, THE TWENTY EIGHTH DAY OF JANUARY
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE MR JUSTICE C.Y.SOMAYAJULU

WRIT PETITION NO : 21176 of 1996

Between:

1 Sodium Potappa S/o. Bodappa
Gattugudem Village, Mulakalapally Mandal, Khammam District.
2 Sunnam Potappa S/o. Ramudu
Rajapuram Village, Mulakalapally Mandal, Khammam District.

..... PETITIONERS

AND

1 The District Collector,
Khammam, Khammam District.
2 The Executive Engineer (I.B)
Khammam, Khammam District.

.....RESPONDENTS

The Court made the following :

***ORDER*:**

Petitioners who are assignees of the land in S. Nos. 118/119 and 118/201 to an extent of Ac. 10.00 and Ac.7.00 respectively of Mukamamidi village were dispossessed from that land, for utilising that land for Mukamamidi project without paying compensation under the provisions of the Land Acquisition Act to them. Hence this petition.

In the counter affidavit filed on behalf of the respondents it is stated that lands assigned to the petitioners can be taken possession of from them for public purpose and so they are not entitled to compensation under the provisions of the Land Acquisition Act.

Since a Full Bench of this Court in ***Land Acquisition Officer-cum-RDO,***

Chevella Division, Domalguda, Hyderabad and others Vs. Mekala Pandu and others held that assignees of lands also are entitled to compensation under the provisions of the Land Acquisition Act, the action of the respondents refusing to pay compensation to the petitioners under the provisions of the Land Acquisition Act is arbitrary and improper.

Hence the writ petition is allowed and the respondents are directed to pay compensation to the petitioners for the lands taken possession of from them as per the provisions of the Land Acquisition Act. No costs.

C.Y.SOMAYAJULU, J.

28-01-2006

Kvsn

That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri G.S.Singhvi, the Chief Justice on this Saturday, 28th Day of January Two Thousand and Six.

REGISTRAR